

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Vice Chair Douglas Kary, on February 20, 2017 at 3:03 P.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Dee Brown, Chair (R)
Sen. Douglas (Doug) Kary, Vice Chair (R)
Sen. Sue Malek (D)
Sen. Ryan Osmundson (R)
Sen. Frank Smith (D)
Sen. Nels Swandal (R)
Sen. Gordon Vance (R)
Sen. Lea Whitford (D)

Members Excused: None

Members Absent: None

Staff Present: Barbara Pietuch, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 301, 2/18/2017; SB 305, 2/18/2017; SB 240, 2/15/2017;
SB 256, 2/15/2017; SB 263, 2/15/2017; SB 267, 2/15/2017;
SB 297, 2/17/2017

Executive Action: SB 178 - Do Pass As Amended
SB 240 - Do Pass As Amended
SB 301 - Do Pass

HEARING ON SB 263

Opening Statement by Sponsor:

00:00:58 Sen. Dee Brown (R), SD 2, opened the hearing on SB 263, Revise laws on public retirement system investments.

[EXHIBIT\(sts37a01\)](#)

Proponents' Testimony: None

Opponents' Testimony:

00:09:32 David Ewer, executive director, Montana Board of Investments (BOI)

00:19:14 Joe Cullen, chief investment officer, Montana Board of Investments

00:23:01 Sen. Malek left the meeting.

00:23:28 Shawn Graham, executive director, Montana Teachers' Retirement System

00:24:47 Melanie Symons, chief legal council, Montana Public Employee Retirement Administration (MPERA)

00:25:30 Diane Fladmo, director of Research & Bargaining, retired program coordinator, Montana Education Association - Montana Federation of Teachers (MEA-MFT)

[EXHIBIT\(sts37a02\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:28:26 Chair Kary

00:28:53 Mr. Ewer, BOI

00:31:38 Sen. Osmundson

00:31:59 Mr. Ewer

Closing by Sponsor:

00:33:08 Sen. Brown

HEARING ON SB 256

Opening Statement by Sponsor:

00:34:47 Sen. Dee Brown (R), SD 2, opened the hearing on SB 256, Revise school district election laws.

Proponents' Testimony:

00:35:56 Jean Curtiss, commissioner, Missoula County

Opponents' Testimony:

00:36:57 Bob Vogel, lobbyist, Montana School Boards Association (MTSBA)

Informational Testimony:

00:44:40 Charlotte Mills, Montana Association of Clerks and Recorders (MACR)

Questions from Committee Members and Responses:

00:45:17 Sen. Whitford
00:46:40 Sen. Brown
00:47:40 Sen. Whitford
00:48:50 Sen. Brown
00:49:16 Sen. Whitford
00:50:02 Sen. Brown
00:51:17 Sen. Whitford
00:51:37 Ms. Mills, MACR
00:51:51 Sen. Whitford
00:51:56 Ms. Mills
00:52:12 Mr. Vogel, MTSBA
00:52:40 Sen. Whitford
00:52:51 Mr. Vogel
00:52:56 Sen. Whitford

Closing by Sponsor:

00:53:13 Sen. Brown

HEARING ON SB 301

Opening Statement by Sponsor:

00:54:05 Sen. Dee Brown (R), SD 2, opened the hearing on SB 301, Revise federal office holder state vacancy and appointment laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:55:38 Sen. Brown

00:55:48 Sen. Vance left the meeting.

HEARING ON SB 305

00:56:24 Chair Brown resumed as Chair.

00:56:35 Sen. Osmundson left the meeting.

Opening Statement by Sponsor:

00:57:12 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 305, Specifying how election to fill U.S. representative vacancy will be conducted.

00:59:59 Chair Brown

Proponents' Testimony:

01:00:47 Bret Rutherford, election administrator, Yellowstone County (YC)

01:02:13 Chair Brown

01:02:19 Sen. Russ Tempel, SD 14

01:03:15 Duane Mitchell, commissioner, Richland County

01:03:33 Janice Hoppes, commissioner, Pondera County

EXHIBIT(sts37a03)

01:04:34 Deb Brandon, commissioner, Toole County

01:05:57 Jean Curtiss, commissioner, Missoula County

01:07:42 Andy Hunthausen, commissioner, Lewis & Clark County

01:08:36 John Ostlund, commissioner, Yellowstone County

01:09:05 Mike Wendland, commissioner, Hill County

01:09:32 Larry Hendrickson, commissioner, Liberty County

01:09:45 Maureen Wicks, commissioner, Liberty County

EXHIBIT(sts37a04)

01:10:04 Don Seifert, commissioner, Gallatin County

01:11:19 Chair Brown

01:11:37 Rebecca Connors, election administrator, Missoula County

01:13:15 Donald Richman, member, Blaine County Republicans

01:14:03 Jason Rittal, development advisor, Fallon County

01:14:37 Travis Hoffman, self

01:15:17 Frank DePriest, commissioner, Blaine County

EXHIBIT(sts37a05)

01:15:39 Sue Hoell, assistant presiding officer, League of Women Voters of Montana

01:15:55 Dolores Plumage, commissioner, Blaine County

01:18:25 Sandra Boardman, clerk and recorder, Blaine County

01:18:48 Stephanie Verhasselt, clerk and recorder, Richland County

01:19:53 Susan Armstrong, clerk and recorder, election administrator, Hill County

01:20:15 Bob Mullen, commissioner, Jefferson County

01:20:36 Regina Plettenberg, clerk and recorder, election administrator, Ravalli County

EXHIBIT(sts37a06)

Opponents' Testimony:

01:21:54 Rep. Sharon Stewart-Peregoy, HD 42
01:25:52 Cheryl Eagle, activist, Indian Peoples Action

Informational Testimony:

01:27:38 Derek Oestreicher, elections director, Secretary of State's Office
01:29:27 Chair Brown

Questions from Committee Members and Responses:

01:29:42 Sen. Whitford
01:30:22 Chair Brown
01:30:39 Sen. Whitford
01:31:18 Sen. Fitzpatrick
01:32:51 Sen. Swandal
01:33:04 Sen. Fitzpatrick
01:33:27 Sen. Smith
01:33:52 Sen. Fitzpatrick
01:34:29 Sen. Whitford
01:35:03 Sen. Fitzpatrick
01:35:48 Chair Brown
01:35:52 Sen. Whitford
01:36:43 Mr. Rutherford, YC
01:37:24 Chair Brown
01:37:28 Mr. Rutherford
01:37:53 Sen. Kary
01:38:08 Mr. Rutherford
01:38:39 Sen. Whitford
01:38:48 Mr. Rutherford

Closing by Sponsor:

01:39:16 Sen. Fitzpatrick
01:39:36 Chair Brown
[EXHIBIT](#)(sts37a07)

HEARING ON SB 267

Opening Statement by Sponsor:

01:40:56 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 267, Move the Firefighter Memorial from Laurel, MT to Helena, MT.

Proponents' Testimony:

01:42:17 Mike Doto, president, Montana Associations of Fire Service Instructors

01:44:13 Leonard Lundby, legislative vice president, Montana State Volunteer Firefighters Association
 01:45:21 Jim Dusenberry, president, Montana Fire Trustees Association
 01:46:21 Rich Cowger, president, Montana State Fire Chief's Association; fire chief, Columbus
 01:47:51 Derek Harvey, lobbyist, Montana State Council of Professional Fire Fighters
 01:48:23 Bob Drake, fire chief, Tri-Lakes Volunteer Fire Department
 01:48:37 Nathan Curtis, Sun Prairie Volunteer Fire Department
 01:49:00 Brad Mohn, fire chief, Hamilton Volunteer Fire Department
 01:49:15 Ed Shindoll, secretary/treasurer, Montana County Fire Wardens Association

Opponents' Testimony:

01:49:45 Rep. Vince Ricci, HD 55
[EXHIBIT\(sts37a08\)](#)

01:50:42 Jeffery Laszloffy, lobbyist, Montana Family Foundation (MFF)

Informational Testimony: None

Questions from Committee Members and Responses:

01:54:36 Sen. Kary
 01:54:50 Rep. Ricci
 01:55:00 Sen. Kary
 01:55:08 Rep. Ricci
 01:55:17 Mr. Laszloffy, MFF
 01:55:49 Sen. Kary
 01:55:59 Mr. Laszloffy
 01:56:07 Chair Brown
 01:56:22 Mr. Laszloffy
 01:56:32 Rep. Ricci
 01:57:02 Chair Brown
 01:57:22 Rep. Ricci
 01:57:30 Sen. Whitford
 01:57:48 Rep. Ricci
 01:57:52 Sen. Whitford
 01:57:57 Rep. Ricci
 01:58:13 Sen. Whitford
 01:58:44 Rep. Ricci
 01:58:54 Chair Brown
 01:59:15 Sen. Malek
 01:59:34 Mr. Laszloffy
 01:59:57 Sen. Malek
 02:00:11 Mr. Laszloffy
 02:01:22 Sen. Malek
 02:01:40 Sen. Cohenour
 02:02:30 Sen. Smith
 02:02:56 Chair Brown
 02:03:18 Mr. Laszloffy

Closing by Sponsor:

02:03:27 Sen. Cohenour

HEARING ON SB 240

Opening Statement by Sponsor:

02:06:14 Sen. Edward Buttrey (R), SD 11, opened the hearing on SB 240, Revise laws related to legislator healthcare benefits.

Proponents' Testimony:

02:14:59 Sen. Pat Connell, SD 43

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:11:00 Sen. Malek
02:11:55 Sen. Buttrey
02:12:51 Sen. Malek
02:13:09 Sen. Buttrey
02:13:33 Sen. Malek
02:13:45 Sen. Buttrey
02:14:16 Sen. Malek
02:14:27 Sen. Buttrey
02:14:46 Chair Brown
02:18:13 Susan Byorth Fox, director, Legislative Services Division (LSD)
02:18:21 Chair Brown
02:18:25 Ms. Fox, LSD
02:18:51 Chair Brown
02:19:13 Ms. Fox
02:19:40 Chair Brown
02:19:59 Ms. Fox
02:20:17 Chair Brown
02:20:29 Ms. Fox
02:20:35 Chair Brown
02:20:53 Sen. Buttrey
02:23:07 Chair Brown
02:23:12 Sen. Buttrey

Closing by Sponsor:

02:23:37 Sen. Buttrey

HEARING ON SB 297

Opening Statement by Sponsor:

02:25:41 Sen. Jedediah Hinkle (R), SD 32, opened the hearing on SB 297, Generally revise laws related to voters in school districts elections.

Proponents' Testimony:

02:29:04 Alan Shaw, self

[EXHIBIT](#)(sts37a09)

02:32:45 Lynn Milligan, self

02:34:19 Shelby DeMars, lobbyist, United Property Owners of Montana

Opponents' Testimony:

02:34:56 Lauren Caldwell, political director and student program coordinator, Montana Education Association - Montana Federation of Teachers (MEA-MFT)

02:36:19 Bob Vogel, lobbyist, Montana School Boards Association

Informational Testimony: None

Questions from Committee Members and Responses:

02:37:31 Sen. Malek
02:39:19 Sen. Hinkle
02:40:23 Sen. Malek
02:40:39 Sen. Hinkle
02:41:06 Sen. Whitford
02:42:01 Sen. Hinkle
02:42:39 Sen. Whitford
02:44:02 Sen. Hinkle
02:44:45 Sen. Whitford
02:45:12 Sen. Hinkle
02:46:05 Sen. Whitford
02:46:12 Sen. Hinkle
02:46:18 Sen. Smith
02:46:45 Sen. Hinkle
02:47:12 Sen. Smith
02:47:16 Sen. Hinkle
02:47:29 Chair Brown
02:47:44 Ms. Caldwell, MEA-MFT
02:47:53 Chair Brown
02:48:04 Ms. Caldwell
02:48:24 Sen. Kary
02:48:45 Sen. Hinkle
02:49:43 Chair Brown
02:49:48 Sen. Whitford
02:50:38 Sen. Hinkle

02:50:48 Sen. Whitford
02:51:03 Sen. Hinkle
02:51:10 Sen. Whitford
02:51:14 Chair Brown

Closing by Sponsor:

02:51:27 Sen. Hinkle

Committee Business:

02:52:56 Chair Brown
02:53:34 Rachel Weiss, research analyst, Legislative Services Division
02:53:59 Chair Brown

EXECUTIVE ACTION ON SB 178

02:59:30 **Motion:** Sen. Kary moved that **SB 178 DO PASS.**

Discussion:

02:59:36 Chair Brown
02:59:52 Sen. Swandal

03:00:02 **Motion:** Sen. Swandal moved that **SB 178 BE AMENDED.**
[EXHIBIT\(sts37a10\)](#)

Discussion:

03:00:06 Sen. Swandal
03:00:44 Rachel Weiss, research analyst, Legislative Services Division
03:00:59 Sen. Smith
03:01:18 Sen. Swandal

03:01:51 **Vote:** Motion carried 7-0 by voice vote. Sen. Vance voted by proxy. Sen. Osmundson was excused.

03:02:12 **Motion/Vote:** Sen. Swandal moved that **SB 178 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote. Sen. Vance voted by proxy. Sen. Osmundson was excused.

EXECUTIVE ACTION ON SB 240

02:56:27 **Motion:** Sen. Kary moved that **SB 240 DO PASS.**

02:57:04 **Motion:** Sen. Kary moved that **SB 240 BE AMENDED.**
[EXHIBIT\(sts37a11\)](#)

Discussion:

02:57:05 **Vote:** Motion carried 5-2 by voice vote with Sen. Malek and Sen. Whitford voting no. Sen. Vance voted by proxy. Sen. Osmundson was excused.

02:57:53 **Motion:** Sen. Kary moved that **SB 240 DO PASS AS AMENDED.**

Discussion:

02:58:10 Sen. Malek

02:58:33 Sen. Swandal

02:59:04 **Vote:** Motion carried 7-0 by voice vote. Sen. Vance voted by proxy. Sen. Osmundson was excused.

EXECUTIVE ACTION ON SB 301

03:02:51 **Motion/Vote:** Sen. D. Brown moved that **SB 301 DO PASS.** Motion carried 5-2 by voice vote with Sen. F. Smith and Sen. Whitford voting no. Sen. Vance voted by proxy. Sen. Osmundson was excused.

03:03:11 Chair Brown

ADJOURNMENT

Adjournment: 6:06 PM

Barbara Pietuch, Secretary

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Additional Documents

Additional Documents:

EXHIBIT([sts37aad.pdf](#))